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THESIS

**CITIZENSHIP AND TERRORISM: THE SIGNIFICANCE
OF A PATHWAY TO CITIZENSHIP ON HOMELAND
SECURITY**

by

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March 2014

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CITIZENSHIP ON HOMELAND SECURITY**

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ABSTRACT

This thesis asks the following question: How would providing a pathway to citizenship for the illegal immigrant population of the United States affect homeland security with respect to domestic terrorism? Terrorism within the United States is categorized in terms of citizenship status: citizen, naturalized citizen, legal immigrant, illegal immigrant, and non-immigrating foreigner. An analysis of terrorism defined by the categories of citizenship status and estimated population size was used to assess data from the Global Terrorism Database for the period between 2001 and 2011. Percentages of terrorism by categories of citizenship status are compared to percentages of the estimated total population to identify an order of prevalence among the categories.

The results from the analysis of the Global Terrorism Database were used to assess the significance of including a pathway to citizenship within current comprehensive immigration reform proposals in regards to homeland security antiterrorism policies within the United States. This thesis concludes that terrorism conducted by United States citizens, both native and naturalized, is the predominant form of terrorism in the United States. Furthermore, it is argued that the inclusion of a path to citizenship within comprehensive immigration reform proposals will not result in a significant increase in domestic terrorism.

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LIST OF ACRONYMS AND ABBREVIATIONS

CSIS	Center for Strategic & International Studies
CRS	Congressional Research Service
DHS	Department of Homeland Security
GTD	Global Terrorism Database
S.744	Border Security, Economic Opportunity, and Immigration Modernization Act
SBI	Secure Border Initiative
SBI _{net}	Secure Border Initiative Network
START	Study of Terrorism and Responses to Terrorism

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I. INTRODUCTION

How would providing a pathway to citizenship for the illegal immigrant population of the United States affect homeland security with respect to domestic terrorism? This is a pressing question as numerous comprehensive immigration reform plans are currently being proposed, including the most recent Border Security, Economic Opportunity, and Immigration Modernization Act (S.744), which was passed by the Senate on June 27, 2013.

Obviously, the issue of immigration is not a new one. In the last several decades, the ability to communicate, transport goods, and travel internationally has become increasingly available and affordable for people all around the globe. As Steven Weber states; “Globalization has brought with it a world of porous borders, internationally distributed supply chains for industry, and what AnnaLee Saxenian calls ‘brain circulation,’ a continuous movement of technologically-savvy immigrant entrepreneurs between the developed and developing worlds.”¹ This increased capability has allowed for a greater influx of immigrants into the United States from all regions of the world through both *legal* and *illegal* methods.² Currently, the United States has an estimated 11.5 million illegal immigrants living within its borders.³ On September 11, 2001, illegal immigration became a significant homeland security topic when the United States became the victim of a major terrorist attack that was largely planned, developed, and conducted from within its own borders.⁴ Some of the topics discussed in the wake of the September 11 attacks included how the nation can gain control of border security to

¹ Steven Weber, “Does Citizenship Really Matter That Much?” May 12, 2003, University of California, Berkeley, <http://katrinaresearchhub.ssrc.org/does-citizenship-really-matter-that-much/attachment>.

² U.S. Department of Homeland Security, *2011 Yearbook of Immigration Statistics* (Washington, DC: U.S. Department of Homeland Security, 2012), http://www.dhs.gov/sites/default/files/publications/immigration-statistics/yearbook/2011/ois_yb_2011.pdf.

³ Andorra Bruno, *Unauthorized Aliens: Policy Options for Providing Targeted Immigration Relief* (CRS Report R42958) (Washington, DC: Congressional Research Service, 2013), 1.

⁴ National Commission on Terrorists Attacks upon the United States, *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States*, (Washington DC: U.S. Government Printing Office, 2004), <http://www.9-11commission.gov/report/911Report.pdf>.

increase homeland security, and how it should handle the increasing number of illegal immigrants currently residing within our borders.⁵

How would the introduction of a pathway to citizenship for the illegal immigrant population affect the *rate* of domestic terrorism within the United States? To answer this question, an analysis was conducted on the incidents recorded in the Global Terrorism Database (GTD)⁶ occurring within the United States between 2001 and 2011, to determine the impact of citizenship on domestic terrorism. The results of this analysis revealed that American citizens are the predominant contributors of domestic terrorism, suggesting that a pathway to citizenship would provide the potential for an increased rate of domestic terrorism. However, this potential for an increased rate of domestic terrorism would be offset by a reduction in the size of the terrorist ‘safe-haven’ provided by the anonymity of the illegal immigrant population; it would also be offset by increased antiterrorism efforts incorporated within immigration reform legislation.

A. CHAPTER SUMMARY

Chapter I briefly describes the connection between S.744 and the push to provide a pathway to citizenship. It also describes the concerns associated with immigration and terrorism. Chapter I concludes with a summary of the chapters contained within this thesis.

Chapter II is a literature review pertaining to the overall topic of citizenship and terrorism, followed by 1) a closer look at the topic of comprehensive immigration reform, and 2) a focus on literature regarding the provision of a pathway to citizenship.

The review of citizenship and terrorism covers a range of topics including: 1) the legalities of revoking the citizenship of terrorists; 2) Islamic radicalism within the United States; and 3) immigration laws being violated by terrorists.

⁵ Marc R. Rosenblum, *US Immigration Policy Since 9/11: Understanding the Stalemate over Comprehensive Immigration Reform* (Washington DC: Migration Policy Institute, 2011), <http://www.migrationpolicy.org/research/RMSG-us-immigration-policy-cir-stalemate>.

⁶ The GTD is maintained by START at the University of Maryland, and is currently being jointly funded through grants from the U.S. Department of Homeland Security and the U.S. State Department.

The review of comprehensive immigration reform identifies some of the difficulties associated with passing legislation, identifying three broad categories of issues contained within an immigration reform proposal: border security and control; economics; and crime and terrorism.

After providing a general understanding of comprehensive immigration reform, Chapter II reviews a pathway to citizenship, highlighting current debates in order to understand this approach to addressing illegal immigration. The review of a pathway to citizenship coupled with the literature from the beginning of the chapter provides a foundation for asking the thesis question, and establishes the reason for conducting an analysis with respect to citizenship of terrorist acts conducted in the United States utilizing the GTD.

Chapter III presents and develops statistical data obtained from the GTD regarding citizenship and terrorism conducted within the United States for the period between 2001 and 2011. Analysis of these attacks split them into the three perpetrator groups: individual; group; and unknown, as delineated within the database itself. The final number of 154 incidents was obtained by removing the incidents conducted by unknown perpetrators, leaving only the incidents that could be contributed to a group or individual. These incidents were then broken into five categories based on citizenship status: native citizen; naturalized citizen; legal alien; illegal alien; and non-immigrating foreigners. Annual population estimates were used to provide the ability to determine the significance of the numbers associated with each citizenship status by allowing for a percentage comparison between the populations for a given year to the number of attacks that were attributed to each status group.

Along with analyzing the data contained in the GTD, this chapter discusses some of the difficulties associated with analyzing said data, such as the inability to identify the actual perpetrators contributing to a group attack due to groups taking responsibility via anonymous letters. This resulted in the use of assumptions for the citizenship status of those incidents, based on the identity of the group and/or the target of the attack. In addition to the difficulties associated with identifying the individuals committing a group

attack, there is difficulty related to the gathering of data regarding citizenship status, as this was not an actual data point for the GTD to track.

Chapter IV compares the results obtained from the analysis of the GTD in Chapter III to the literature regarding a pathway to citizenship discussed in Chapter II. This chapter argues that a pathway to citizenship would indeed pose a limited potential threat to homeland security; however, it also determines that this threat would be offset by the combination of a reduction in terrorist safe-haven size resulting from a smaller illegal immigrant population, as well as the antiterrorism initiatives included within comprehensive immigration reform.

Chapter IV continues by identifying areas for further research that focus on the effects of repeat offenders, data collection issues, and the inclusion of terrorist related activities. Data collection issues for further research include the feasibility of developing a generalized dataset documented for all terrorists that commit a terrorist act or terrorist related activity within the United States, as well as the development of a system to accurately compile census population data that has been acquired over the years using dissimilar methods. The terrorist related activities that could be included in an expanded research project would be fundraising and money laundering, surveillance activities, and the plotting of a terrorist attack. This would help to provide a finer picture of how citizenship affects every aspect of terrorism, not just the actual attack.

Chapter IV concludes the thesis by briefly discussing terrorism after 2011 and the challenge of tracking terrorism statistics before detailing a final answer to the initial research question posed in Chapter I.

II. LITERATURE REVIEW AND THEORETICAL FRAMEWORK

A. TERRORISM AND CITIZENSHIP

The literature regarding terrorism and citizenship within the United States is broken into three broad categories: terrorism and law; Islamic radicalization of American citizens; and immigration law.

1. Terrorism and Law

The literature addressing terrorism and citizenship law explores the question of whether or not the government has the right to strip a citizen of their citizenship based on a connection to acts of terrorism. Peter Schuck discusses this in detail in an article for the Hoover Institution when he claims, “if the risk of Americans terrorizing Americans in America is indeed growing, then citizenship law, like criminal and national security law, cannot afford to ignore this alarming fact.”⁷ To Schuck, there are problems with the limits established by citizen law. Currently, citizenship cannot easily be removed from an individual unless the government can prove that an individual had assented to losing his citizenship by voluntarily relinquishing it.⁸ Schuck’s article questions what might be enough to be considered proof of assent, as well as pointing out that if a terrorist “is not a citizen, he can more easily be monitored, wiretapped, identified, targeted, detained, prosecuted, and convicted.”⁹

Richard Epstein mirrors Schuck’s analysis of the laws regarding the stripping of citizenship. His article discusses the court decisions leading up to the current law as well, but he also specifically mentions the fact that citizenship can be removed if it was

⁷ Peter H. Schuck, “Citizen Terrorist,” *Policy Review*, no. 164 (December, 2010), Hoover Institution, Stanford University, <http://www.hoover.org/publications/policy-review/article/58011>.

⁸ Ibid.

⁹ Ibid.

obtained under false pretenses.¹⁰ This ability to remove citizenship has the potential to make a large difference concerning the number of terrorists who are able to take advantage of their citizenship status, providing the government can prove that there was false statement within the application process. The ability to remove an individual's citizenship is limited by the timeframe in which it is used. For example, if a false statement is discovered after a terrorist attack has been conducted; the effects of removing citizenship will only contribute to the detainment, prosecution, and conviction of the terrorist. However, if a suspected terrorist has a false statement uncovered and loses citizenship prior to conducting an attack, the effects of removing citizenship can contribute to all of the areas that Schuck mentioned, helping to reduce the overall probability of a successful attack.

2. Islamic Radicalization of American Citizens

The Islamic radicalization of American *citizens* is an area of growing concern regarding domestic terrorism. A study conducted by Alan Krueger in 2008 compared “the characteristics of 63 alleged homegrown Islamic terrorists in the U.S.A. to a representative sample of 1,000+ Muslim Americans”¹¹ in order to gain a better understanding of the homegrown terrorist profile. His study found that the “average,” Muslim terrorist was more educated than the general Muslim population in the United States, although he felt that the extra year of schooling was in fact statistically insignificant. He followed this by pointing out that Islamic terrorists with more education were often closer to succeeding in their terrorist plans at the time of their apprehension, than compared to the terrorists with a lower level of education. To this he suggested “a benefit from focusing anti-terrorism efforts on individuals who have high levels of education and technical skills.”¹² Another interesting result of his study that pertains directly to this

¹⁰ Richard A. Epstein, “Terrorism and Citizenship,” *Forbes*, May 15, 2010, <http://www.forbes.com/2010/05/18/terrorism-citizenship-constitution-politics-opinions-columnists-richard-a-epstein.html>.

¹¹ Alan B. Krueger, “What Makes a Homegrown Terrorist? Human Capital and Participation in Domestic Islamic Terrorist Groups in the U.S.A.,” *Economics Letters* 101, no. 3 (2008), 293–296, Science Direct, <http://www.sciencedirect.com/science/article/pii/S0165176508002759>.

¹² *Ibid.*

thesis was that “citizens are less likely to become involved in domestic terrorism than are noncitizens.”¹³ If this is true, than a pathway to citizenship should actually help increase homeland security as it would grant the ability to become a citizen to 11.5 million illegal immigrants currently residing in the United States, thereby reducing the risk of a domestic terrorist attack.

Toni Johnson wrote in 2011, “the number of terror incidents involving Islamic radicals who are U.S. citizens has seen an uptick in recent years.”¹⁴ This seems counter to Krueger’s statement that citizens are less likely to become involved in domestic terrorism than are noncitizens. Johnson claims that the government reported 125 individuals who have been radicalized to jihadist terrorism before discussing the possible avenues for their radicalization. Her report claims that social media and prison recruitment are among the leading sources of jihadist radicalization.¹⁵

Another increasing area of concern related to the Islamic radicalization of American citizens comes from the rising number of radicalized citizens leaving the United States to become involved in jihadist activities overseas. These citizens present an increasingly difficult problem as pointed out by Daniel Byman and Benjamin Wittes who studied Anwar al-Awlaki, an American citizen that became radicalized and moved to Yemen before being killed in an American drone strike. They state:

U.S. citizens also enjoy certain legal rights vis-a-vis the U.S. government and consequent expectations of free travel and government protection both domestically and overseas that non-citizens do not enjoy. In essence, citizens like Awlaki are potentially the most dangerous terrorists—in part because the array of U.S. policy tools to defeat them is comparatively restrictive and has gaps, while policy towards them is inconsistent.¹⁶

¹³ Ibid.

¹⁴ Toni Johnson, “Threat of Homegrown Islamist Terrorism,” *Backgrounder*, September 30, 2011, Council on Foreign Relations, <http://www.cfr.org/terrorism/threat-homegrown-islamist-terrorism/p11509>.

¹⁵ Ibid.

¹⁶ Daniel Byman and Benjamin Wittes, *Tools and Tradeoffs: Confronting U.S. Citizen Terrorist Suspects Abroad* (Washington, DC: Brookings Institute, 2013), <http://www.brookings.edu/~media/research/files/reports/2013/07/23%20us%20citizen%20terrorist%20suspects%20awlaki%20jihad%20byman%20wittes/toolsandtradeoffs.pdf>.

While their report specifically focuses on the citizens who have not yet returned to the United States, the statement still applies to all citizens who have radicalized within the United States. This statement supports Schuck's concerns about citizen law with respect to terrorists.

3. Immigration Law

The study of immigration law provides a significant contribution to the topic of citizenship and terrorism. Immigration law addresses comprehensive immigration reform, which includes a pathway to citizenship, which is the main focus of this thesis. The literature typically claims that immigration law currently aids terrorists due to a lack of enforcement. As mentioned in the first category, terrorism and law, the laws protecting American citizens also protect domestic terrorists. In this category, however, the laws protecting American citizens also protect foreign terrorists.

Janice Kepar's 2005 report "builds on prior work done by 9/11 Commission and the Center for Immigration Studies, providing more information than has been previously been made public."¹⁷ This report discusses the need for greater enforcement of immigration laws across the board, as well as improvements to the process used to track immigrants entering the United States. While the majority of incidents documented in this report occurred prior to 9/11, and the subsequent reform to antiterrorism policies, some incidents still occurred in the following years. For example, she claimed:

In 47 instances, immigration benefits sought or acquired prior to 9/11 enabled the terrorists to stay in the United States after 9/11 and continue their terrorist activities. In at least two instances, terrorists were still able to acquire immigration benefits after 9/11.¹⁸

One comment Kepar made in the conclusion of her report is notable: "Al Qaeda has used every viable means of entry."¹⁹ Supported by the numerous cases she lists providing examples of the methods of entry, Kepar shows that immigration law is a

¹⁷ Janice Kepar, *Immigration and Terrorism* (Washington, DC: Center for Immigration Studies, 2005), <http://www.cis.org/sites/cis.org/files/articles/2005/kephart.pdf>.

¹⁸ Ibid.

¹⁹ Ibid.

difficult area for antiterrorism strategy to address. The recommendations from this report, based on the results of studying 94 foreign-born terrorists, largely include greater attention to detail regarding standard immigration operations. To accomplish this she recommends several changes that grant more access to relevant data, such as biometrics, to the personnel responsible for processing immigration applications and resources. To this end, a more efficient use of resources is necessary to ensure that gaps in the immigration system that are being utilized by terrorists are minimized to the fullest possible extent.²⁰

B. COMPREHENSIVE IMMIGRATION REFORM

Although there have been several immigration laws passed since 1986, the Immigration and Reform Control Act of 1986 is the most recent comprehensive immigration reform legislation to have passed in the United States.²¹ In the wake of September 11, 2001, there has been an increased call for comprehensive immigration reform in an effort to help secure our borders and combat terrorism.²² Almost 13 years after the terrorist attacks of 9/11 and 28 years since the last comprehensive immigration reform was passed, the latest attempt at comprehensive immigration reform has only recently cleared the Senate in the form of the S.744, which was passed on June 27, 2013.²³ This slow progression of comprehensive immigration reform can be attributed to the difficulties associated with agreeing on possible threats and the regulations necessary to effectively control those threats.²⁴ In 2013, the Center for Strategic and International

²⁰ Ibid.

²¹ Mary Giovagnoli, *Overhauling Immigration Law: A Brief History and Basic Principles of Reform* (Washington, DC: Immigration Policy Center, 2013), <http://www.immigrationpolicy.org/sites/default/files/docs/perspectivescirprimerwe111213.pdf>.

²² Rosenblum, *US Immigration Policy Since 9/11*, 6; Stephanie Sanok Kostro and Scott F. Mann, *Innovative Immigration and Border Control Reform* (Washington, DC: Center for Strategic & International Studies, 2013), http://csis.org/files/publication/130807_Sanok_InnovativeImmigrationBorderControl.pdf; Giovagnoli, *Overhauling Immigration Law*.

²³ Border Security, Economic Opportunity, and Immigration Modernization Act, S.744, 113th Cong. (2013), <http://thomas.loc.gov/cgi-bin/bdquery/z?d113:s.00744:>.

²⁴ Rosenblum, *US Immigration Policy Since 9/11*.

Studies (CSIS) stated that “there are four core challenges to any border security and immigration reform effort.”²⁵ The four challenges identified by the CSIS are:

- Effectively controlling the physical U.S. border, which includes preventing unauthorized crossings.
- Facilitating and enforcing terms of authorized entry, which requires maintaining accurate entry and exit records.
- Implementing and enforcing internal compliance mechanisms such that individuals cannot realize economic benefits of unauthorized presence.
- Facilitating access to U.S. government-provided entitlements, rights, and benefits.²⁶

The extensive literature regarding comprehensive immigration reform tends to agree with these four challenges. However, the literature is divided by the majority of topics discussed throughout the narrower categories of: 1) border security and control, 2) economics, 3) crime and terrorism. These three categories address debates concerning the various issues and risks associated with immigration, as well as identifying various methods to mitigate those risks, with a majority of the debates actually crossing between the three categories. These debates are addressed below in an effort to understand the principle issues being addressed in each category.

1. Border Security and Control

This category contains issues relating to 1) securing borders, and 2) the tracking of people who are admitted into the United States. These two issues are further divided into a number of debates, from having an open borders system,²⁷ which could essentially allow people to come and go as they pleased, to the biometric scanning of everyone that enters the United States (as is the case with Office of Biometric Identity Management, which replaced the U.S. Visit program for collection of biometric data).²⁸

²⁵ Kostro and Mann, *Innovative Immigration*.

²⁶ Ibid.

²⁷ Joseph H. Carens, “Aliens and Citizens: The Case for Open Borders,” *The Review of Politics* 49, no. 2 (Spring 1987): 251–73.

²⁸ “Office of Biometric Identity,” Department of Homeland Security, accessed March 9, 2014, <http://www.dhs.gov/obim>.

One of the biggest issues currently being debated regarding border security is the method by which the borders should be controlled. There are several suggestions regarding how to accomplish this, one of which is through the use of a physical barrier along the border. A case in point is Senator Steve King's proposal to build a massive concrete wall. He claims that physical fences can be scaled and are therefore impractical for the use of securing our border.²⁹ Instead, he claims:

35 years of experience in the earth moving, drainage and concrete construction business, which gives me the background to design an effective wall. My concrete wall would function as both a human and vehicle barrier, inspired by the success of the concrete wall in Israel.

³⁰ Others claim that a virtual fence could be used, as was the case with the Secure Border Initiative (SBI), which began in 2005. The SBI was

intended to help secure the 6,000 miles of international borders that the contiguous United States shares with Canada and Mexico. . . . Within SBI, the Secure Border Initiative Network (SBInet) is a multibillion dollar program that includes the acquisition, development, integration, deployment and operation of surveillance technologies . . . to create a 'virtual border fence.'³¹

Ultimately, there were several complications with the project that included high costs and the functionality of the equipment, which led to the SBInet being canceled in 2011, further underscoring the difficulties associated with securing the border.³²

These are just some of the issues that are a part of the border security and control category within a comprehensive immigration reform proposal. While this thesis does not directly discuss issues relating to areas that concern border security and border control, some of the issues regarding a pathway to citizenship do fall into this category. The

²⁹ "Immigration," Congressman Steve King, accessed March 9, 2014, <http://steveking.house.gov/issues/immigration>.

³⁰ Ibid.

³¹ Randolph C. Hite, *Secure Border Initiative: DHS Needs to Follow Through on Plans to Reassess and Better Manage Key Technology Program* (Washington, DC: United States Government Accountability Office, 2010), <http://trac.syr.edu/immigration/library/P4795.pdf>.

³² Julia Preston, "Homeland Security Cancels 'Virtual Fence' After \$1 Billion Is Spent," *The New York Times*, January 14, 2011, sec. U.S. / Politics, <http://www.nytimes.com/2011/01/15/us/politics/15fence.html>.

issues that do fall into this category primarily discuss whether the border is secure enough to make a pathway to citizenship effective. Examples for this type of discussion include analysis of the Immigration and Reform Control Act of 1986, such as James Carafano's "1986 Redux: Proposed Senate Immigration Reform Repeats Past Failure" report for The Heritage Foundation.³³

2. Economics

The subject of economics is arguably the most significant category related to the illegal immigrant population when discussing immigration reform in general. This category includes debates regarding: Social Security, medical expenditures, and labor relations. The social security debate discusses whether illegal immigrants are a benefit or a drain to the social security system. The medical expenditures debate discusses the fact that illegal immigrants are entitled to medical treatment by law, while arguing whether they financially contribute to the systems in place to fund those services.³⁴ Labor relations can include several topics such as how the labor laws apply to illegal immigrants.³⁵

One of the most debated economic issues relating to comprehensive immigration reform is the effect of immigration on the quantity of jobs that are available to American citizens. While this issue addresses whether immigrants are taking jobs from American citizens,³⁶ there are many other branches to this debate, such as the idea that immigrants are only taking jobs that Americans do not want,³⁷ or that the United States was built by

³³ James Jay Carafano, "1986 Redux: Proposed Senate Immigration Reform Repeats Past Failure," May 30, 2007, The Heritage Foundation, <http://www.heritage.org/research/reports/2007/05/1986-redux-proposed-senate-immigration-reform-repeats-past-failure>.

³⁴ Jack Martin and Eric A. Ruark, *The Fiscal Burden of Illegal Immigration on United States Taxpayers* (Washington, DC: Federation for American Immigration Reform, 2011), http://www.fairus.org/site/DocServer/USCostStudy_2010.pdf?docID=4921.

³⁵ U.S. Department of Labor, "Fact Sheet #48: Application of U.S. Labor Laws to Immigrant Workers: Effect of Hoffman Plastics Decision on Laws Enforced by the Wage and Hour Division," (July 2008), <http://www.dol.gov/whd/regs/compliance/whdfs48.pdf>.

³⁶ "Illegal Aliens Taking U.S. Jobs (2013)," March 2013, Federation for American Immigration Reform, <http://www.fairus.org/issue/illegal-aliens-taking-u-s-jobs>.

³⁷ Steven A. Camarota and Karen Zeigler, *Jobs Americans Won't Do? A Detailed Look at Immigrant Employment by Occupation* (Washington DC: Center for Immigration Studies, 2009), <http://www.cis.org/sites/cis.org/files/articles/2009/occupations.pdf>.

immigrants so it has always relied on immigrants to speed development.³⁸ While speaking to the U.S. Hispanic Chamber of Commerce, Alan Krueger discussed President Obama's plan to fix the "broken" immigration system. He said,

America has historically been a magnet for the world's best, brightest and most ambitious people. Capable and hard-working immigrants come to the U.S. to seek opportunities and a better life for themselves and their families. . . . And, in turn, they helped build the greatest country with the strongest economy the world has ever seen.³⁹

He also discussed statistics regarding immigrant businessmen, identifying several large technology companies that have been started by immigrants. Included in the list were Google, Yahoo, Intel, eBay, and Qualcomm, thereby touting the increase in jobs being provided within the United States by immigrants.⁴⁰

These are just a few of the examples that can be provided to discuss the economic category of comprehensive immigration reform, and in no way do they cover the complete scope of economics that could be affected by the passing of a comprehensive immigration reform proposal. As this thesis is not principally concerned with the economic effects of a path to citizenship for the illegal immigrant population, it will avoid discussing these types of debates. However, it should be noted that the vast majority of discussions regarding a pathway to citizenship are in response to economic debates.

3. Crime and Terrorism

The issue of crime and terrorism is the prime focus of this thesis. This category includes debates dealing with crime rates, smuggling operations, and generally any debate that includes things of a criminal and terrorist nature. A large number of the

³⁸ Daniel Griswold, "Immigrants Have Enriched American Culture and Enhanced Our Influence in the World," February 18, 2002, Cato Institute, <http://www.cato.org/publications/commentary/immigrants-have-enriched-american-culture-enhanced-our-influence-world>.

³⁹ Alan B. Krueger, "Remarks on the Economic Benefits of Commonsense Immigration Reform," March 20, 2013, White House, http://www.whitehouse.gov/sites/default/files/docs/remarks_for_the_hispanic_chamber_of_commerce_final.pdf.

⁴⁰ Ibid.

debates concerning comprehensive immigration reform fall into the crime and terrorism category. Examples of literature specifically addressing crime and illegal immigration include the cost of holding facilities relating to the enforcement of immigration laws,⁴¹ and whether or not drug cartels will benefit from immigration reform.⁴² These debates extend well beyond the scope of this thesis and will therefore not be discussed.

In the literature specifically addressing terrorism and illegal immigration, a recurring theme is evident. The majority of the literature discussing terrorism and illegal immigration concentrates on the border security and control aspect of preventing terrorists from entering the United States. This is clearly evident when looking at the Customs and Border Patrol website, CBP.gov, which states: “CBP’s Office of Air and Marine, which manages the largest law enforcement air force in the world, patrols the nation’s land and sea borders to stop terrorists and drug smugglers before they enter the United States.”⁴³

Edward Alden dedicates his book, *The Closing of the American Border: Terrorism, Immigration, and Security Since 9/11*, to the issues of immigration and terrorism. His chapter, “The Fence,” details the government’s attempt to secure the borders against terrorism and illegal immigration after 9/11, ultimately focusing on the SBI and the virtual fence, which attempt to secure the borders and prevent the entry of illegal immigrants in an effort to fight terrorism. One of his major concerns is that immigration reform is being held hostage by the desire to secure the borders first. One quote he included was from an unnamed official stating, “in the history of the world,

⁴¹ *The Math of Immigration Detention: Runaway Costs for Immigration Detention Do Not Add Up to Sensible Policies* (Washington DC: National Immigration Forum, 2013), <http://www.immigrationforum.org/images/uploads/mathofimmigrationdetention.pdf>.

⁴² Santiago Wills, “Will Mexican Cartels Benefit From Immigration Reform?,” April 25, 2013, Fusion, <http://fusion.net/justice/story/mexican-cartels-benefit-immigration-reform-22543>.

⁴³ U.S. Customs and Border Protection, “Protecting Our Borders—This Is CBP,” July 25, 2013, <http://www.cbp.gov/xp/cgov/about/mission/cbp.xml>.

nobody's ever secured borders. The Great Wall of China didn't work. It's never worked, and we are trying to do it."⁴⁴ He feels that immigration reform will never happen because the borders will never be fully secured.

Alden's book is a large source of literature involving illegal immigration and terrorism. His book covers more than just border security and control, providing examples of the measures used after 9/11 to hunt terrorists involving the arrest and deportation of illegal immigrants within the country. However, he concludes that immigration enforcement is not an effective antiterrorism policy, stating: "enforcing immigration laws does not catch terrorists; it catches immigration violators."⁴⁵ He is very adamant about this position, following it up with these statements:

A huge amount of police time is spent identifying and detaining illegal immigrants. At best, that is a distraction from fighting serious crimes and cooperating on terrorism investigations; at worst it is a major diversion of law enforcement resources that makes the whole country more vulnerable to another attack. While there are some good reasons for better enforcement of immigration laws, their effectiveness in stopping terrorists is not one of them.⁴⁶

Another example that fits the theme of border security and control is Peter Nunez's testimony before the U.S. House of Representatives Committee on International Relations, Subcommittee on International Terrorism, Nonproliferation and Human Rights in February of 2004, in which he stated, "As long as our land borders with Mexico and Canada remain as open as they now are, terrorists can enter the U.S. as easily as any of the hundreds of thousands of illegal aliens who regularly shred our land border security."⁴⁷ However, Marc Sageman counters this argument in his book *Leaderless Jihad*, in which he notes there is a lack of radicalized Islamic terrorists within the United States as compared to Europe. He states:

⁴⁴ Edward H. Alden, *The Closing of the American Border: Terrorism, Immigration, and Security Since 9/11* (New York, NY: HarperCollins, 2008).

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ *Preventing the Entry of Terrorists into the United States hearing before the U.S. House of Representatives Committee on International Relations Subcommittee on International Terrorism, Nonproliferation and Human Rights*, 108th Cong. (2004) (testimony of Peter K. Nunez), <http://cis.org/node/534>.

Very few Islamist terrorists try to cross into the United States from Mexico. This is a major fear of some Americans, but is groundless since Muslim terrorists would stand out. The ‘coyotes’ who guide Latin American people attempting to illegally enter the United States would be the ones to alert the border patrol in order to safeguard their ‘business.’⁴⁸

Whether or not this is true, taking this claim at face value may be unwise because the “coyotes” are already getting paid to break the law by smuggling people into the country, so it might not take too much incentive for them to expand their business.

C. A PATHWAY TO CITIZENSHIP

While border security is the prime focus for the majority of immigration-related antiterrorism efforts since 9/11, there has been a small but growing concern regarding the *potential* terrorist threat presented by the illegal immigrant population currently residing within the United States. Terrorist attacks that occur within the United States fall into one of two main citizenship status categories, citizen and immigrant, which this thesis further develops and expands on in Chapter III.

1. The Internal Terrorist Threats

A domestic terrorist within the United States is either a citizen or an immigrant. The citizen category consists of native citizens and naturalized citizens, and the immigrant category consists of legal permanent residents and illegal immigrants.

On July 4, 2002, Hesham Mohamed Hadayet, a legal permanent resident, killed two people and wounded four others at the Los Angeles International Airport before airport security shot and killed him.⁴⁹ On July 28, 2006, Naveed Afzal Haq, a native citizen, killed Pamela Waechter and wounded five other women in a shooting attack against the Jewish community of Seattle, Washington.⁵⁰ Peter Schuck states that between May and December of 2010, “three American citizens have been arrested in connection

⁴⁸ Marc Sageman, *Leaderless Jihad: Terror Networks in the Twenty-First Century* (Philadelphia: University of Pennsylvania Press, 2008), 107.

⁴⁹ Charles Feldman, “Los Angeles Airport Shooting Kills 3,” *CNN/U.S.*, July 5, 2002, <http://edition.cnn.com/2002/US/07/04/la.airport.shooting/>.

⁵⁰ Associated Press, “Shooting Suspect Described as a Loner,” *KATU*, accessed March 15, 2014, <http://www.katu.com/news/3631691.html>.

with bomb plots—Faisal Shahzad, for the Times Square attempt, and the other two for international jihadist activities,” claiming that “these examples of domestic citizen terrorism are surely dreadful harbingers of things to come.”⁵¹ Faisal Shahzad is a naturalized citizen.⁵² Further in his discussion, Schuck states, “the post-9/11 threat of terrorism, both foreign and domestic, makes the relationship of citizenship to national security more salient than ever before.”⁵³ These examples clearly document native and naturalized citizens as well as legal permanent residents as sources for terrorist attacks.

Steven Weber, from the University of California, Berkeley, touches on the limited potential for illegal immigrants to pose a terrorist threat in a talk he gave in May of 2005, entitled, “Does citizenship really matter that much?”⁵⁴ He contends that “Somewhere within a population of about 300 million people there may be a very small number of individuals planning terrorist acts.”⁵⁵ Further arguing that citizenship and immigration status should not be used to filter out that small number of people due to the fact that there were “about 18 million . . . legal resident aliens and upwards of eight million . . . illegal immigrants,” resulting in “too large a subset to improve the odds against a meaningful search.”⁵⁶

2. Illegal Immigrants—A Potential Terrorist Threat

One debate discussing illegal immigration and terrorism is the possible safe-haven for terrorists created by the existence of illegal immigrant communities. In a joint hearing before the Subcommittee on Immigration, Border Security, and Citizenship and the Subcommittee on Terrorism, Technology and Homeland Security in 2005, Senator John Cornyn discussed national security justifications for immigration reforms stating; “Of the

⁵¹ Schuck, “Citizen Terrorist.”

⁵² Kevin Deutsch et al., “Times Square Bomb Suspect Faisal Shahzad ‘Was Just a Normal Dude’ before Making Neighbors Suspicious,” *NY Daily News*, May 4, 2010, <http://www.nydailynews.com/new-york/times-square-bomb-suspect-faisal-shahzad-normal-dude-making-neighbors-suspicious-article-1.444286>.

⁵³ Schuck, “Citizen Terrorist.”

⁵⁴ Weber, “Does Citizenship Matter?”

⁵⁵ Ibid.

⁵⁶ Ibid.

more than 10 million people currently in our country without legal status and of the hundreds of thousands who enter each year undetected, some fraction of the population may harbor evil impulses toward our country.”⁵⁷ Although he acknowledged a potential threat from the illegal population, he went on to say that “it is a practical impossibility to separate the well-meaning from the ill-intentioned. We must focus our scarce resources on the highest risks.”⁵⁸ Understanding the difficulties associated with addressing the specific threat from the illegal immigration population, he finished his opening statement by declaring that “we cannot have a population of more than 10 million people within which terrorists and their supporters can easily hide. And we cannot have that population afraid to cooperate with law enforcement and antiterrorism efforts.”⁵⁹

In the same joint hearing, Asa Hutchinson, former Under Secretary for Border and Transportation Security, and Margaret Stock, American Immigration Lawyers Association, both made statements to the joint subcommittees. Mr. Hutchinson stated:

it is appropriate to have a conversation on providing a temporary legal status to the 8 million plus illegal workers already in this country. It is a significant vulnerability to allow such a large population to live and work anonymously in our communities, with no legal identities or other common connections to society. In fact, it is a terrorist’s dream.”⁶⁰

Stock stated that in order “to enhance our security, we need immigration laws that . . . allow us to find out who is living in the United States.”⁶¹ She closed her statement by

⁵⁷ *The Need for Comprehensive Immigration Reform: Strengthening Our National Security Joint Hearing before the Subcommittee on immigration, Border Security and Citizenship and Subcommittee on Terrorism, Technology and Homeland Security of the Committee on the Judiciary, United States Senate*, 109th Cong. (2005), <https://www.hsdl.org/?view&did=468665>.

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ *The Need for Comprehensive Immigration Reform: Strengthening Our National Security Joint Hearing before the Subcommittee on immigration, Border Security and Citizenship and Subcommittee on Terrorism, Technology and Homeland Security of the Committee on the Judiciary, United States Senate*, 109th Cong. (2005) (testimony of Asa Hutchinson), <https://www.hsdl.org/?view&did=468665>.

⁶¹ *The Need for Comprehensive Immigration Reform: Strengthening Our National Security Joint Hearing before the Subcommittee on immigration, Border Security and Citizenship and Subcommittee on Terrorism, Technology and Homeland Security of the Committee on the Judiciary, United States Senate*, 109th Cong. (2005) (testimony of Margaret Stock), <https://www.hsdl.org/?view&did=468665>.

saying, “comprehensive immigration reform that allows illegal immigrants to come out of the shadows and be identified will enhance our security and improve the data on those who are present in the United States.”⁶²

In general, the public political debates make two points. First, there is a potential terrorist threat posed by the existence of the illegal immigrant population within the United States. Second, there is a need to provide a way to eliminate that threat via an as yet undecided legalization method.

3. Illegal Immigrants—Not a Terrorist Threat

Senator Tom Coburn closed the round of statements in the hearing mentioned above by providing an argument for the other side of the debate. Senator Coburn stated:

the political will has not been there to do what is necessary to have a humane immigration policy. . . And it is a national security issue. But it may not be terrorist in relationship. It may be the undermining of our very institutions because they are going to collapse under the weight of illegal aliens who are in this country.⁶³

While the earlier statements depicted the illegal immigrant population as a terrorist threat, Senator Coburn validated the other side of the debate by alluding to the concept that the illegal immigrant population may not in fact pose a terrorist related threat. This side of the debate has many supporting arguments as well, with the most notable of these being the idea that most of the illegal immigrants are hardworking, law abiding (notwithstanding their illegal status), residents that are just trying to provide for their families. The U.S. Chamber of Commerce agrees with this argument and states that, “immigrants are less likely to be behind bars than native-born Americans. . . . This holds

⁶² Ibid.

⁶³ *The Need for Comprehensive Immigration Reform: Strengthening Our National Security Joint Hearing before the Subcommittee on immigration, Border Security and Citizenship and Subcommittee on Terrorism, Technology and Homeland Security of the Committee on the Judiciary, United States Senate*, 109th Cong. (2005), <https://www.hsdl.org/?view&did=468665>.

true . . . even for Mexicans, Salvadorans, and Guatemalans who comprise a majority of the undocumented population.”⁶⁴

On January 29, 2013, President Barack Obama stated that, “for comprehensive immigration reform to work, it must be clear from the outset that there is a pathway to citizenship.”⁶⁵ Therefore, because a pathway to citizenship for the illegal immigrant population is part of the solution to comprehensive immigration reform, this assumption establishes the need to fully understand the role of citizenship with regards to terrorism in order to truly determine the significance of providing a path to citizenship for the illegal immigrant population on homeland security policies.

These statements provide the counter argument of the debate regarding the potential terrorist threat posed by illegal immigrants and sets the stage for providing a pathway to citizenship in comprehensive immigration reform proposals.

⁶⁴ U.S. Chamber of Commerce, *Immigration Myths and Facts* (Washington DC: U.S. Chamber of Commerce, 2013), https://www.uschamber.com/sites/default/files/documents/files/Immigration_MythsFacts.pdf.

⁶⁵ Barack Obama, quoted in the Executive Office of the President, *Fixing Our Immigration System: The Economic Benefits of Providing a Path to Earned Citizenship* (Washington, DC: The Executive Office of the President, 2013), <http://www.whitehouse.gov/sites/default/files/our-broken-immigration-system-august-2013.pdf>.

III. HOW DOES CITIZENSHIP STATUS RELATE TO TERRORISM WITHIN THE UNITED STATES?

According to a report published by the National Consortium for the Study of Terrorism and Responses to Terrorism (START) in December of 2012, the GTD identifies 2,608 terrorist attacks that occurred in the United States between 1970 and 2011.⁶⁶ In that same report, START includes the definition of terrorism used by the GTD stating; “The GTD defines terrorism as the threatened or actual use of illegal force and violence by a non-state actor to attain a political, economic, religious, or social goal through fear, coercion or intimidation.”⁶⁷ When analyzing the data from the GTD, it becomes evident that there has been a dramatic decline in the total number of incidents that have occurred since 2001 as compared to the number of incidents in the decade prior to 2001 (see Figure 1).

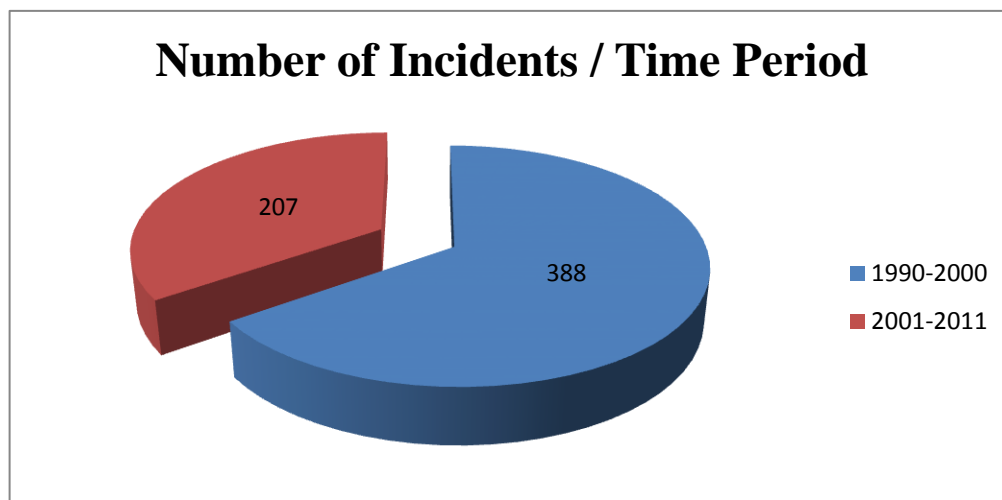


Figure 1. Number of terrorist incidents occurring in the United States between 1990 and 2011 (as of the 1012 distribution of the GTD).⁶⁸

⁶⁶ Gary LaFree, Laura Dugan, and Erin Miller, *Integrated United States Security Database (IUSSD): Data on the Terrorist Attacks in the United States Homeland, 1970 to 2011* (College Park, MD: National Consortium for the Study of Terrorism and Responses to Terrorism, 2012).

⁶⁷ Ibid.

⁶⁸ National Consortium for the Study of Terrorism and Responses to Terrorism [START], 2013, Global Terrorism Database [GTD] 1012, <http://www.start.umd.edu/gtd>.

This decline in incidents may be attributed to increased efforts by law enforcement agencies and changes to antiterrorism policies that included the formation of the Department of Homeland Security (DHS) during the aftermath of the 9/11 tragedies. Due to these changes, which occurred in the time period after 2001, the statistical analysis of terrorism conducted for this thesis utilizes data from the GTD for the period between 2001 (year of the 9/11 attacks) and 2011 (most current published year for database). This was specifically done to keep the outcome of the analysis relevant to the current terrorism and political climates. This restriction of data resulted in a reduction of terrorist incidents from 2,608, to a total of 207 incidents (see Figure 2).

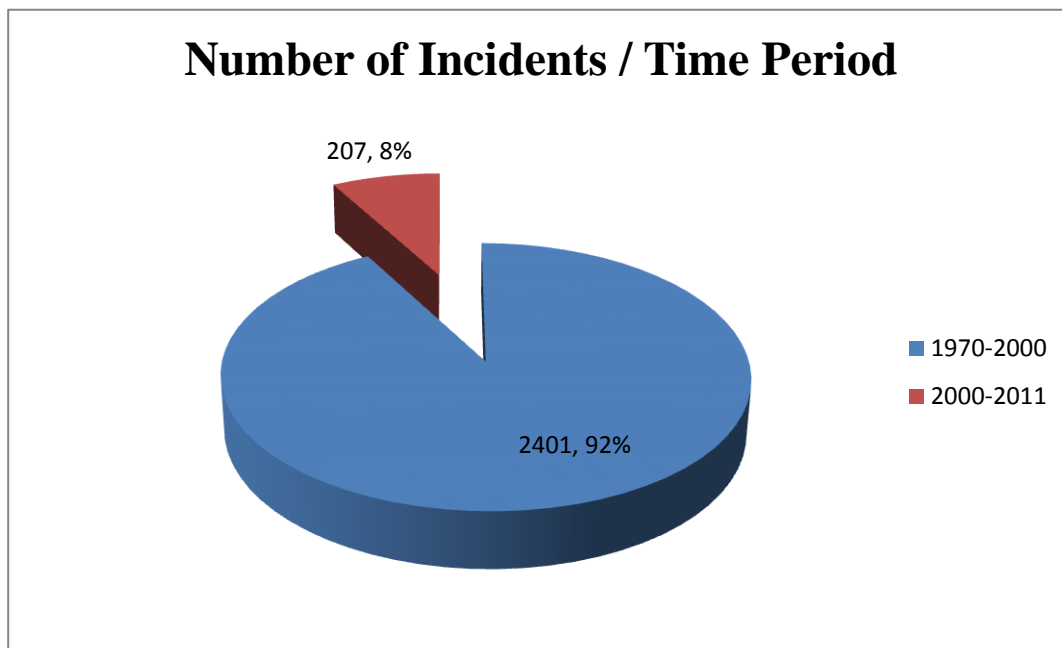


Figure 2. Number of terrorist incidents occurring in the United States between 2001 and 2011 compared to all 2,608 incidents within the United States reported by START.⁶⁹

These 207 incidents were then broken down into three types of perpetrators; group, individual, and unknown, based on the three categories delineated within the GTD (see Figure 3).

⁶⁹ Ibid.

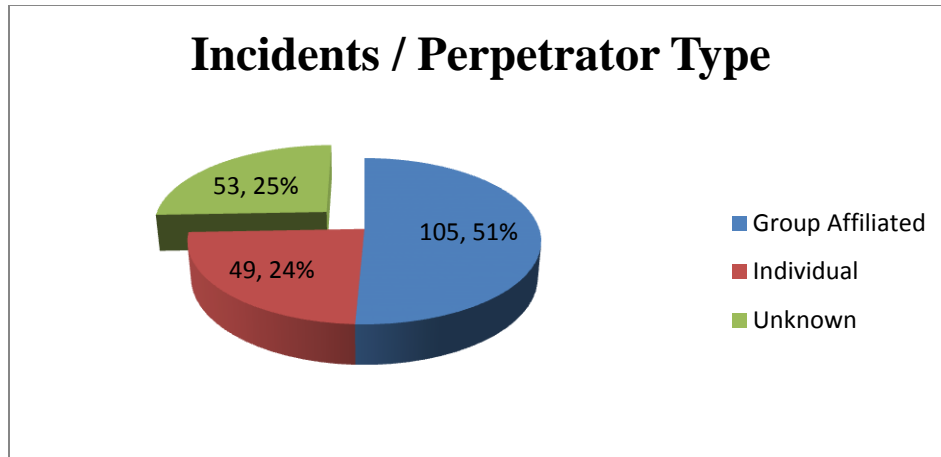


Figure 3. The 207 incidents conducted from 2001–2011, identified by perpetrator type.⁷⁰

Further refining to remove the “unknown” category left only the incidents that were contributed to known perpetrators (see Figure 4), identifying a total of 154 incidents that could be further analyzed based on the citizenship identification status of the perpetrators.

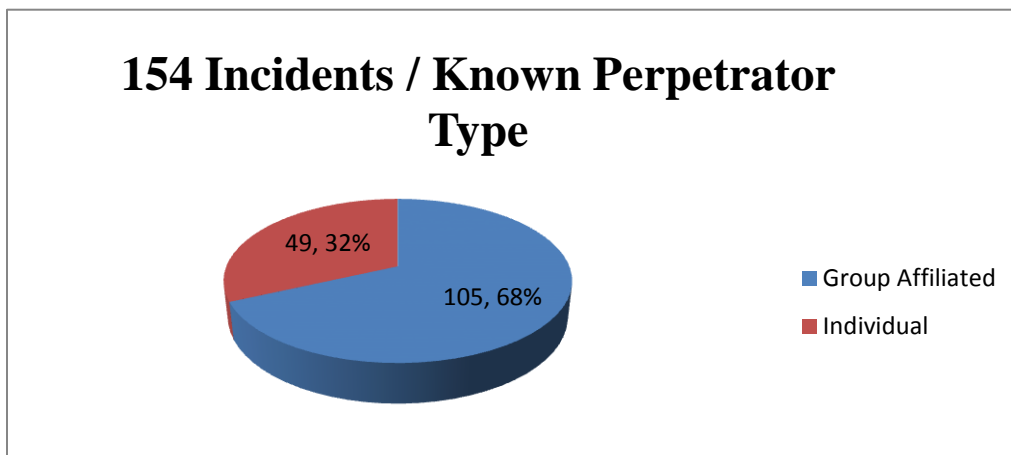


Figure 4. The 154 incidents with known perpetrators divided into group and individual categories.⁷¹

⁷⁰ Ibid.

⁷¹ Ibid.

Closer analysis of the data within the GTD shows that the perpetrators could not always be readily identified, let alone identified by their legal or illegal status, requiring assumptions about the citizenship status of the perpetrator based on their associated terrorist organization and/(or) target chosen. For instance, it could be assumed that a terrorist organization such as Al-Qaida attacking the World Trade Center would count as a non-immigrating foreigner, whereas a terrorist such as the anti-abortion activist attacking the Northern Illinois Women's Center in Rockford, Illinois, could be assumed to be a citizen. In all cases, an attempt was made to identify the citizenship and immigration status of the perpetrators through other resources prior to making a final assumption.

The analysis of the 154 known perpetrator incidents occurring within the United States between 2001 and 2011 yielded a highly unbalanced result depicting American citizens as the perpetrators conducting a majority of the incidents recorded, with illegal immigrants conducting no recorded incidents during the time period analyzed (see Figure 5).

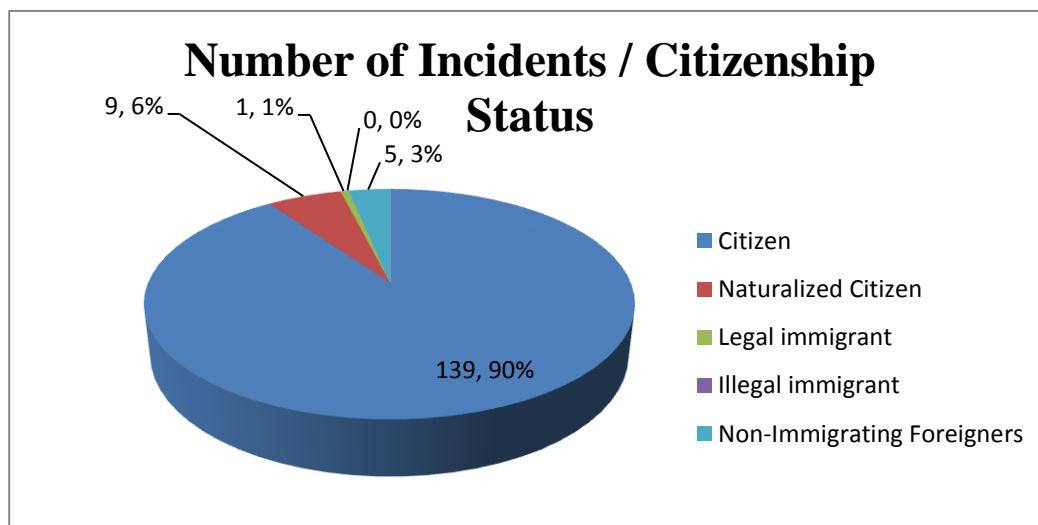


Figure 5. American citizens were the perpetrators in 90 percent of the total number of recorded terrorist incidents in the United States from 2001–2011.⁷²

⁷² For specific sources of data that comprise Figure 5, see Appendix B.

Of note, the majority of group affiliated attacks were sorted in the GTD by their organization name vice individual names. Because of this, the group attacks were coded as if conducted by an individual, with citizenship status based on the terrorist organization and/or target chosen. One unfortunate drawback to this group affiliation method of analysis stems from the fact that a large portion of the incidents were reported via anonymous letters taking credit for the incident without identifying the actual perpetrators, which makes a positive identification of their citizenship status impossible unless the perpetrators were identified through other means (usually in conjunction with investigations and charges for other crimes). Therefore, while the method may be sound, the results should be measured against the assumptions made regarding the actual status of the perpetrators based on a lack of information available via the database.

In order to gauge the significance of the number of incidents, the population of the United States was used to measure the percentage of incidents per citizenship status category. Population data was taken from multiple sources including the census bureau, DHS documents, and various other websites as documented. The average of the monthly estimated population for each year was used to determine the total population for the years analyzed, with an average of the resulting years being used to determine the estimated population for the entire period analyzed (see Table 1).

Year	Estimated Population	Period	Estimated Population
2001	284,871,667	2001-2011	298,325,227
2002	287,541,667		
2003	290,064,167		
2004	292,730,000		
2005	295,430,000		
2006	298,284,167		
2007	301,153,333		
2008	304,005,833		
2009	306,700,833		
2010	309,259,167		
2011	311,536,667		

Table 1. Total population of the United States based on an average of the monthly estimated populations for each year analyzed.⁷³

A. TERRORISM CONDUCTED BY NATIVE CITIZENS

With 139 out of 154 incidents assigned to native citizens, this was the most prominent category of perpetrators between 2001 and 2011. As the incidents occurred within their home country, it makes sense that this category would be the largest contributor to terrorism within the United States. However, this category also has the highest possibility for error as the majority of these incidents were of the group affiliation type requiring an assumption that the perpetrators were native citizens. In fact, of the 139 incidents, only 29 of them were able to be verified as actual native citizens with the status of the remaining 110 being assumed to be native citizens (see Figure 6).

⁷³ “US Population by Month,” Multpl, accessed January 2, 2014, <http://www.multpl.com/united-states-population/table?f=m>.

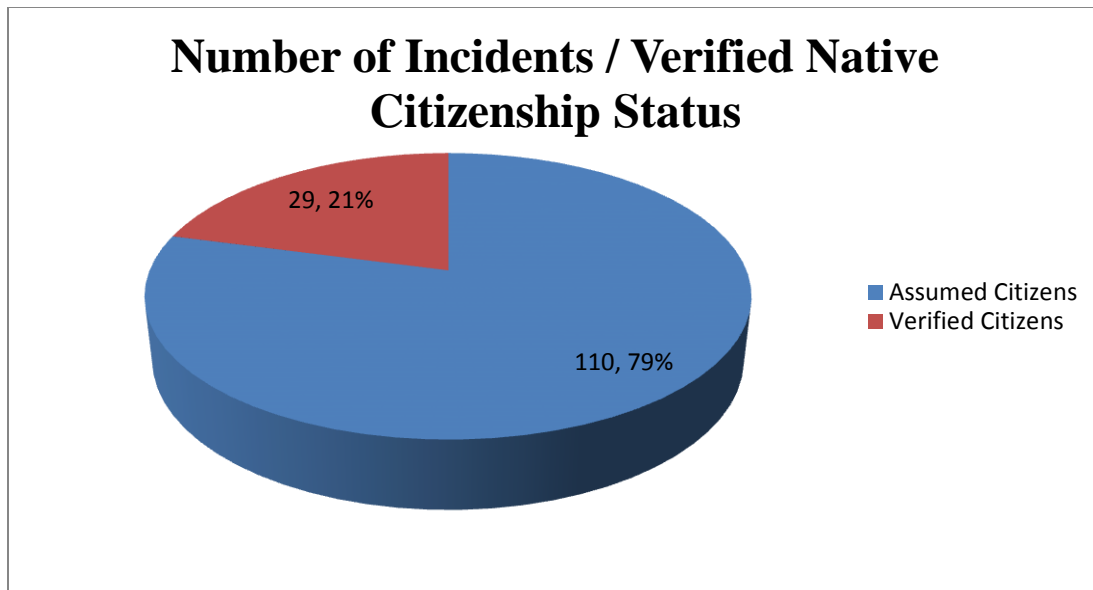


Figure 6. Only 29 out of 139 reported incidents were verified as being conducted by native citizens.⁷⁴

It is important to note that the majority of assumptions for native citizenship status were made based on the recorded perpetrators being members or affiliates with the two terrorist organizations known as the Earth Liberation Front and the Animal Liberation Front, which anonymously claimed credit for the vast majority of incidents reported. These two terrorist organizations are loosely organized with no substantial member association identification system, allowing for any perpetrator to claim affiliation with them. As the majority of their incidents involve targets associated with animal cruelty or environmentally related grievances, the assumption was made that individuals would not purposely travel to the United States in order to perform these acts and therefore a native citizen status was assumed for all of them. While there is the possibility of these types of perpetrators being naturalized citizens, it is doubtful that they would be in the citizenship status categories of legal immigrant, illegal immigrant or non-immigrating foreigner citizenship status categories.

⁷⁴ Wikipedia, "Luke Helder;" Federal Bureau of Investigation, *Terrorism 2002–2005*; Wikipedia, "William Cottrell;" Wikipedia, "Dwight Watson;" Murderpedia, "Naveed Afzal HAQ;" Wikipedia, "James von Brunn;" Wikipedia, "Little Rock;" Wikipedia, "Nidal Malik Hasan;" Wikipedia, "Murders of Raul and Brisenia Flores;" Wikipedia, "Pentagon Shooting;" Wikipedia, "Austin Suicide;" Wikipedia, "Discovery Communications;" START, "GTD 1012."

The data for native citizens was analyzed by comparing the percentage of native citizens to the percentage of the incidents conducted by native citizens (see Figure 7). This resulted in an overall average of 90 percent of all attacks for the period as compared to an average of 87 percent of the population being native citizens for the same period. With three exceptions, the yearly data showed that native citizens conducted more of a percentage of the yearly incidents than their percentage of the population would suggest they should. The especially low percentage of incidents recorded in 2010 was contributed to a dramatic increase in the number of incidents conducted by naturalized citizens for that year, demonstrating why an average period percentage was used to minimize the effects of incident timing on the overall analysis.

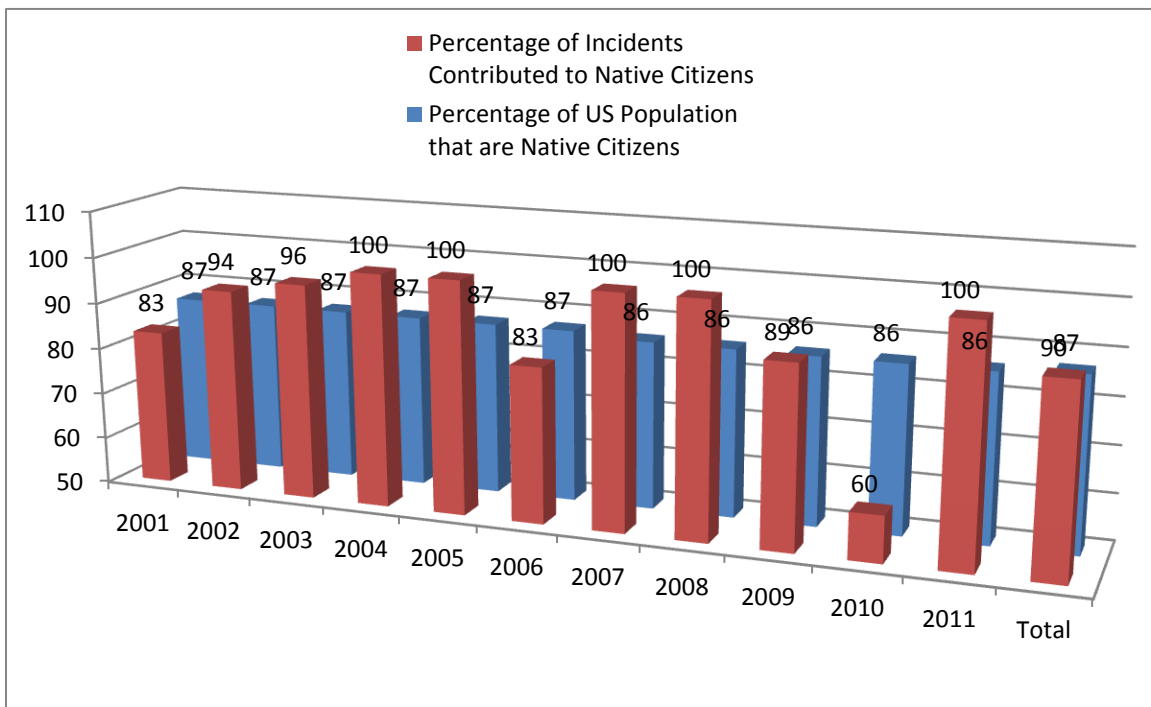


Figure 7. The percentage of native citizen population in the United States compared to the percentage of incidents contributed to the native citizen population per year.⁷⁵

⁷⁵ For specific sources of data that comprise Figure 7, see Appendix B.

B. TERRORISM CONDUCTED BY NATURALIZED CITIZENS

With nine out of 154 incidents being contributed to naturalized citizens, terrorism conducted by naturalized citizens was the second largest category of incident perpetrators. This follows the same logic used to explain why native citizens would conduct the majority of incidents; they are living as citizens within the country being studied. As a percentage, naturalized citizens conducted six percent of the total number of incidents within the period, which makes them the closest category of citizens as compared to their percentage of the population within the United States, which is five percent (see Figure 8).

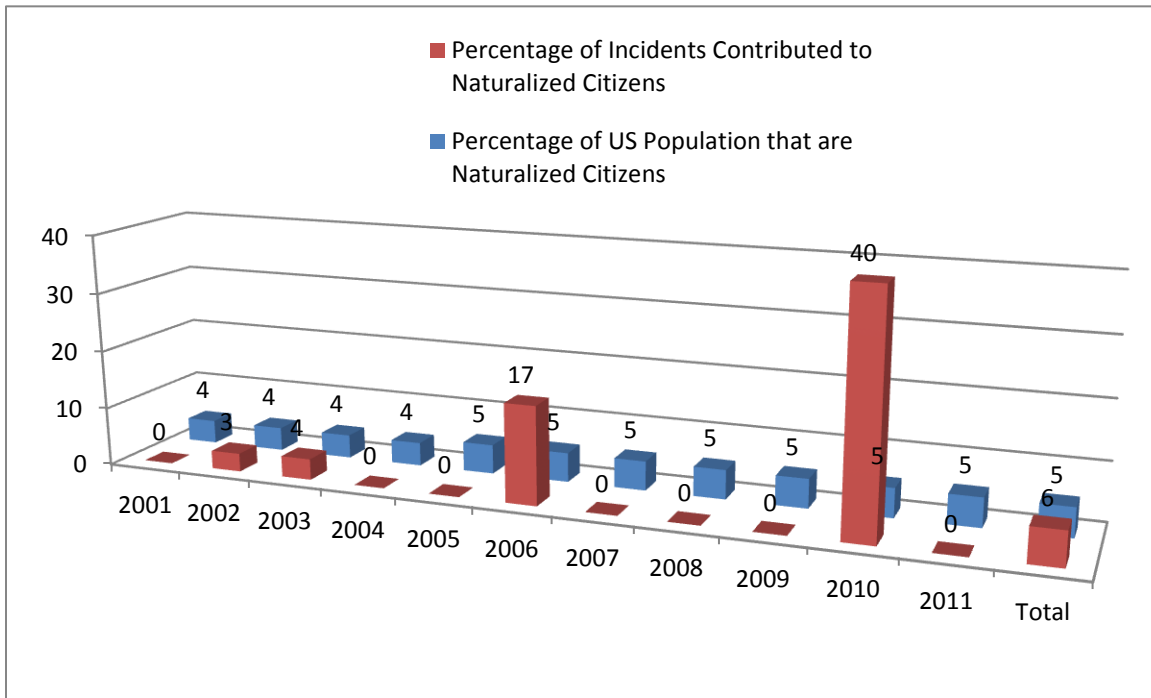


Figure 8. The percentage of naturalized citizen population in the United States compared to the percentage of incidents contributed to the naturalized citizen population per year.⁷⁶

The higher percentages compared to the population percentages in the years 2006 and 2010 reflect a lower incident occurrence for native citizens in 2006, and a dramatic increase of incidents by naturalized citizens in 2010, rising from one incident in a year to

⁷⁶ For specific sources of data that comprise Figure 8, see Appendix B.

six incidents that year. Looking into the incidents conducted during 2010, they were contributed to two individuals, an individual who conducted five incidents on different dates, and another individual who only conducted one incident. At first glance, the fact that a single individual conducted multiple acts seemed to throw off the analysis of the data. However, trying to analyze data based on individuals vice the incidents created a lot more uncertainty and error due to the number of incidents with unknown individuals whose repeat offender status could not be determined. Therefore, this thesis acknowledges the small amount of instability inserted into the analysis due to repeat offenders and welcomes the assertion that further analysis could be conducted to determine the impact of repeat offenders.

C. TERRORISM CONDUCTED BY LEGAL IMMIGRANTS

There was only one incident recorded that could be contributed to a legal immigrant. This was not surprising due to the low number of overall incidents occurring during the given time period; however it was important in so much as that it proved that this category does actively exist, and is not just a theoretical category. What was interesting about this data was that the single incident contributed to three percent of the total number of incidents for the year that it occurred, which is fairly consistent with the four percent legal immigrant population of the United States (see Figure 9). However, as an immigration status category overall, legal immigrants contributed to one percent of the total incidents analyzed between 2001 and 2011, within three percent of the average legal immigrant population for the same period, which was equaled four percent.

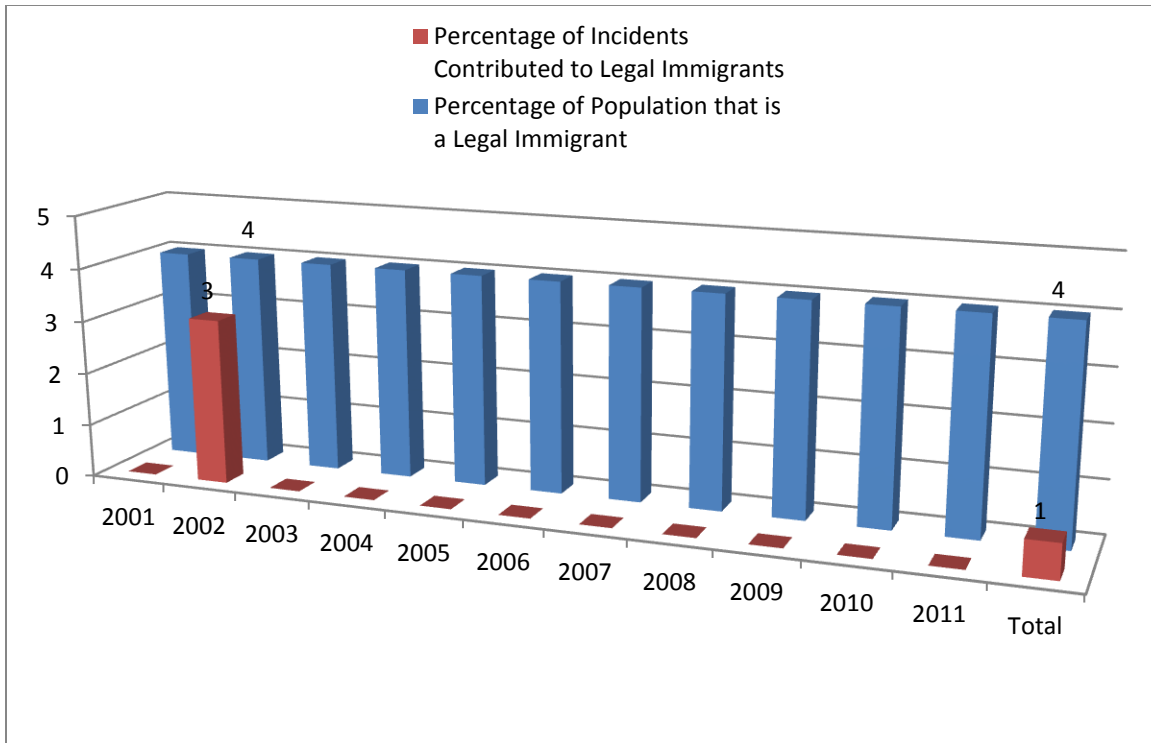


Figure 9. The percentage of legal immigrant population in the United States compared to the percentage of incidents contributed to the legal immigrant population per year.⁷⁷

Of note, data regarding the estimated legal immigrant population for the year 2001 was unavailable and therefore an average was taken from the data that was available for the years 2000 and 2002, introducing a margin of error in the legal immigrant population estimate for the period.⁷⁸

D. TERRORISM CONDUCTED BY ILLEGAL IMMIGRANTS

There were no reported incidents contributed to illegal immigrants between 2001 and 2011 (see Figure 10). This could be in part due to the number of unknown incidents that were not analyzed, improper assumptions that were made according to group affiliations, a sheer lack of data, or the theory that illegal immigrants do not commit acts of terrorism for fear of being caught and subsequently deported back to their home

⁷⁷ For specific sources of data that comprise Figure 9, see Appendix B.

⁷⁸ Rytina, *Legal Permanent Resident* 2002.

country. It is quite possible, with the amount of uncertainty involved with the data analyzed that there were acts of terrorism conducted by illegal immigrants. However, one could argue that they would be less likely to occur as compared to the other categories of citizenship status based on the numbers involved and the differences between citizens and immigrants. This becomes even more likely when considering legal immigrants who, being the closest similar category both in population size as well as immigrant status, are only contributed with conducting one incident throughout the entire period.

Of note, data regarding the estimated illegal immigrant population for the years between 2001 and 2004 was unavailable, and therefore 408,000 (the stated average growth of from the year 2000 until 2005) was subtracted from the 2005 estimate, introducing a negligible margin of error in the illegal immigrant population estimate for the period.⁷⁹

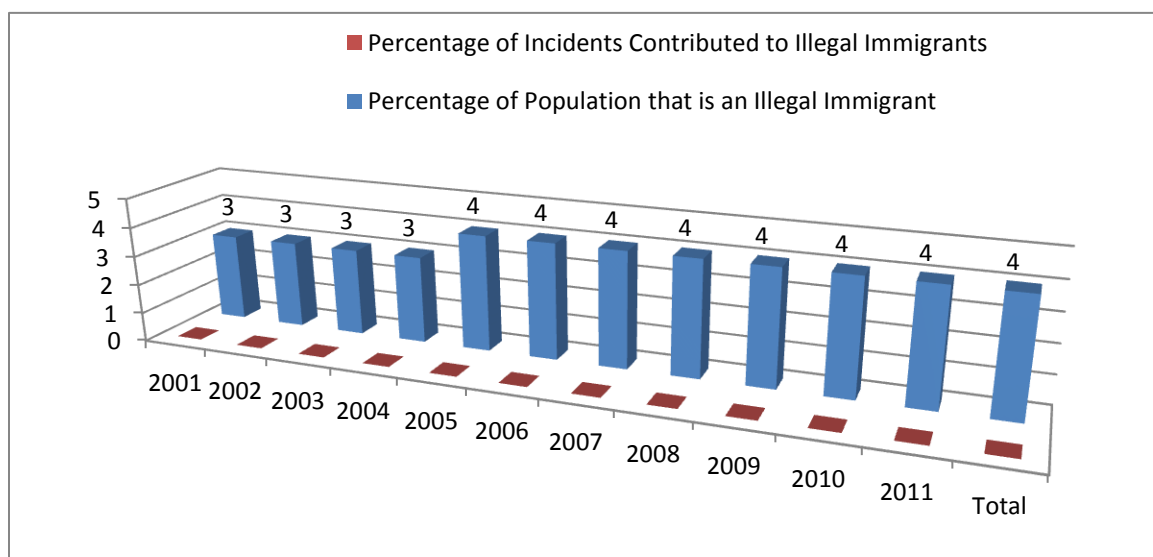


Figure 10. Percentage of the illegal immigrant population in the United States compared to the percentage of incidents contributed to illegal immigrants per year.⁸⁰

⁷⁹ Michael Hoefer, Nancy Rytina, and Christopher Campbell, *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2005* (Washington, DC: U.S. Department of Homeland Security, 2006), 5.

⁸⁰ For specific sources of data that comprise Figure 10, see Appendix B.

E. TERRORISM CONDUCTED BY NON-IMMIGRATING FOREIGNERS

There were five incidents contributed to non-immigrating foreigners, making it the third largest category of incidents analyzed. Even though it is only the third largest category, it is arguably the most significant due to the suicidal nature of the attacks, and the enormous volume of visitors entering the country that can potentially contribute an incident to this category. Four of the incidents that occurred were the 9/11 airplane hijackings that took place in 2001, and the fifth incident was an attempted suicide bombing conducted by Umar Farouk Abdulmutallab, a Nigerian national that attempted to detonate a bomb hidden in his underwear while on a flight to the United States from Amsterdam in 2009.

Analyzing the numbers associated with this category was rather cumbersome due to the large degree of error involved in the process for calculating and documenting the number of visitors to the United States, as well as the complexity of the immigration system in and of itself, providing several different options for statistical analysis. The final determination for the analysis was made using a combination of available data and material deemed to be significant regarding its ability to provide useful information to the subject. Further analysis of the category using a different process may result in alternative numbers; however, the resulting data should not significantly affect the overall conclusions of this thesis.

The data for the non-immigrant foreigner status was gathered into two categories based on a total occupancy of the United States for each year analyzed (occupancy with and without Mexican and Canadian citizens). These two categories were utilized because of the tracking process for visitors to the United States which requires foreigners, other than Mexican and Canadian citizens, to submit an I-94 form for processing purposes. Mexican and Canadian citizens are sometimes required to submit an I-94 form. The visitors that did file an I-94 form provided accurate numbers, but did not encompass the total number of visitors entering the United States. The estimated total number of visitors entering the United States including Mexican and Canadian citizens formed the basis for the second category. Unlike the first category, because the Mexican and Canadian visitors were not always required to fill out an I-94 form, their numbers contribute to an

“estimated admission total rounded to the nearest hundred thousand, excluding sea and air crew admissions (D1 and D2 visas),”⁸¹ which provided an estimated number closer to the actual number of visitors legally entering the United States yearly.

These occupancy percentages were calculated by comparing the number of visitors for each category to the population of the United States for that year. The yearly occupancy was determined by adding the total number of visitors to the population of the United States, providing an estimated total number of people within the United States for that year. This number is not a precise number by any means; however it produces a value accurate enough for the purposes of this thesis to analyze the contribution of non-immigrant foreigners to terrorism within the United States. From there, it was a matter of calculating what the percentage of visitors was to the occupancy number derived for each category (see Figure 11).

⁸¹ U.S. Department of Homeland Security, *2011 Yearbook*.

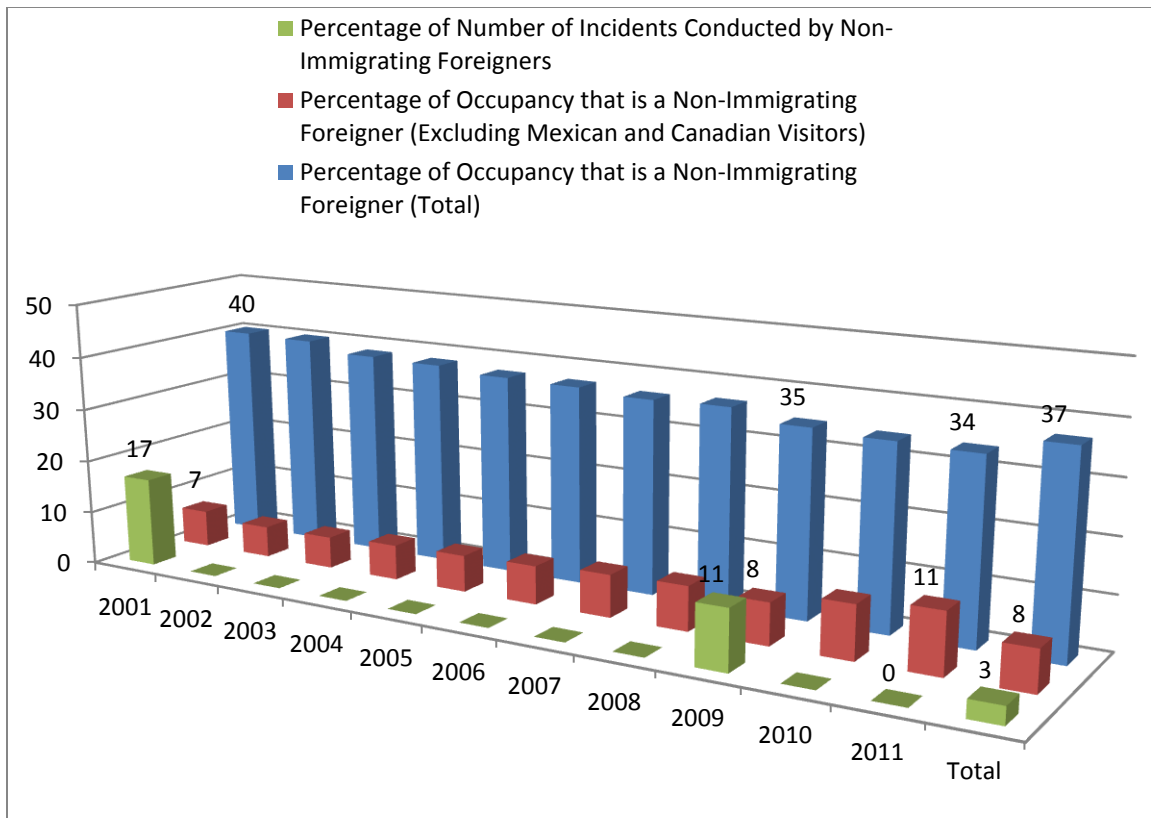


Figure 11. Percentages of non-immigrant foreigner occupancy within the United States compared to the percentage of incidents associated with non-immigrant foreigners conducted per year.⁸²

Based on the percentages calculated, it was determined that the percentage of incidents contributed to non-immigrant foreigners is much lower than the percentage of occupancy by non-immigrant foreigners, averaging only three percent of total incidents throughout the 2001–2011 time period analyzed as compared to having made up an average of eight percent (not including Mexican and Canadian visitors) and 37 percent (including Mexican and Canadian visitors) of the total occupancy for that time period. When compared to similar analysis conducted on the other categories of immigration status, non-immigrating foreigners are well below the average when it comes to the percentage of total incidents analyzed.

⁸² Wikipedia, “Umar Farouk;” U.S. Department of Homeland Security, *2010 Yearbook of Immigration Statistics* (Washington DC: U.S. Department of Homeland Security, 2011), http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2010/ois_yb_2010.pdf; U.S. Department of Homeland Security, *2011 Yearbook*; Multpl, “US Population by Month;” START, “GTD 1012.”

This category is the most significant because the incidents themselves have a higher probability of fatalities due to the suicidal nature of all of the attacks analyzed. The fact that the incident conducted by Umar Farouk Abdulmutallab was unsuccessful was the only reason there were no fatalities related to that incident. Otherwise, there would have been a 100 percent intentional suicide rate for the citizen status category as well as an increased number of fatalities associated with that incident. The term intentional was added to differentiate the single legal immigrant incident where the perpetrator was killed by law enforcement agents resulting in a 100 percent fatality rate for perpetrators in that category. It is unknown if the legal immigrant perpetrator intended to die as his actions indirectly led to his death, whereas the non-immigrating foreigners all conducted actions that directly caused their death, or would have if the action was conducted successfully.

F. RESULTS OF ANALYSIS BY CITIZESHIP STATUS

The results from the analysis conducted were derived from a starting point that can be seen in a graph depicting the number of incidents broken down by citizen status per year (see Figure 12).

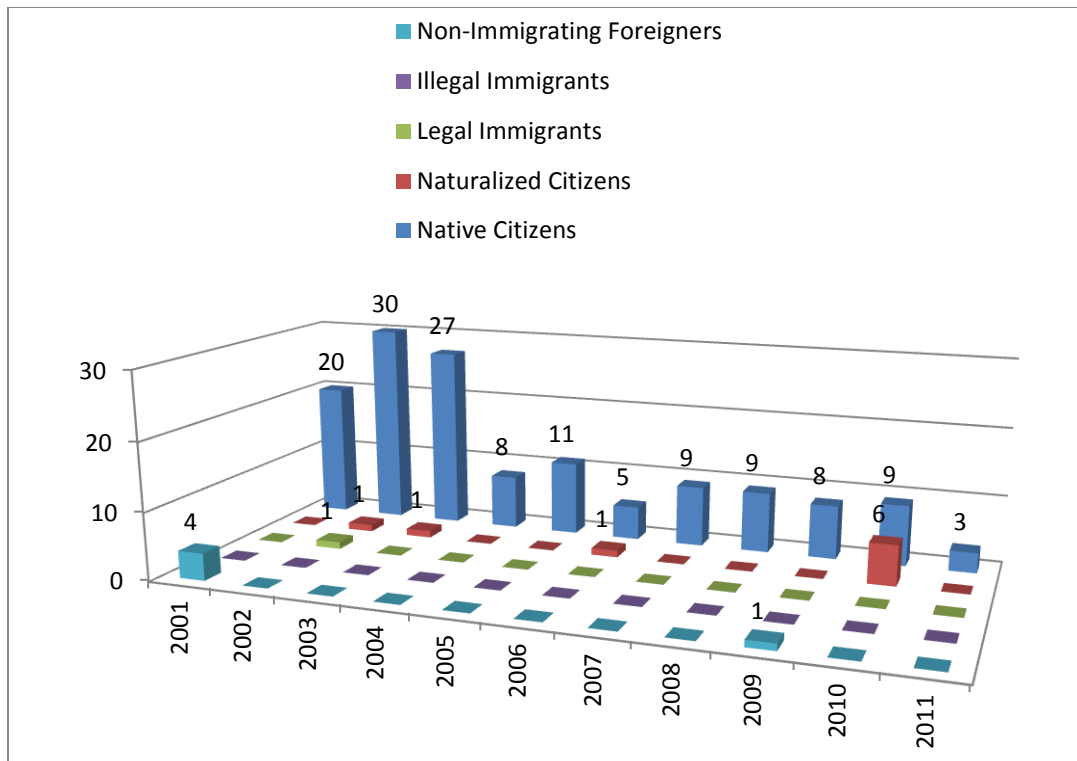


Figure 12. Number of incidents broken down by citizenship status per year.⁸³

While this produced a general understanding of how each category contributed throughout the period, it did not explain if the categories were contributing to the problem in equal amounts proportionate to their size. By comparing the average percentages of the populations for each category to the average percentage of incidents contributed to each category, it became clear that non-immigrating foreigners were contributing an insignificant number of incidents compared to what the other status categories were, illegal immigrants were contributing less than the other categories compared to their population percentage on average, while the remaining categories contributed approximately equal amounts proportionate to their average population sizes plus or minus three percent (see Figure 13).

⁸³ For specific sources of data that comprise Figure 12, see Appendix B

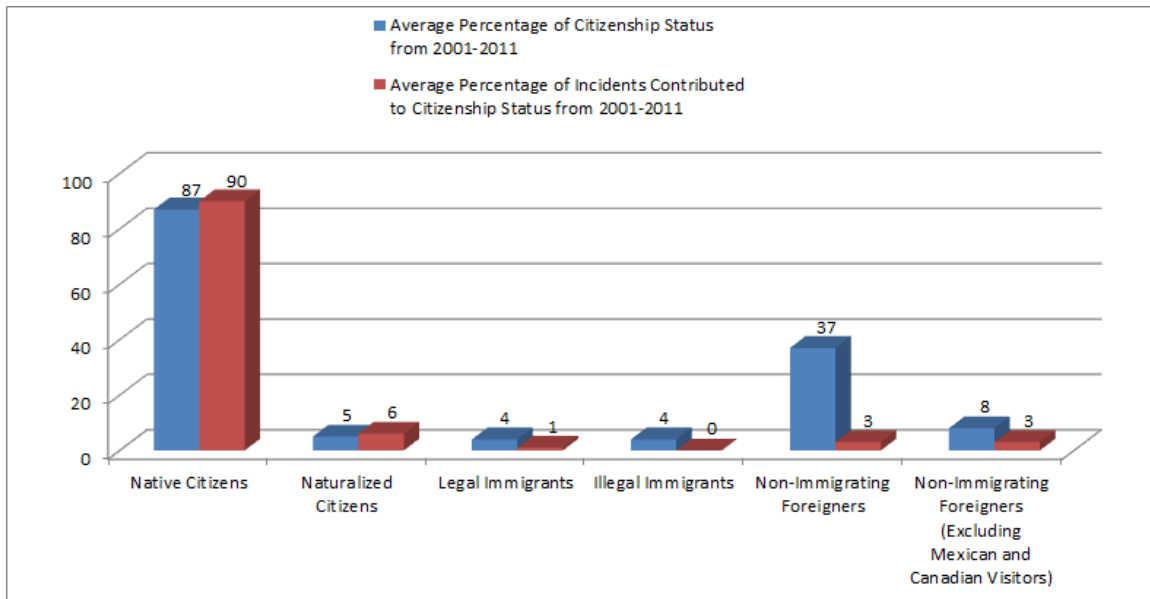


Figure 13. Total percentage of the average population per citizenship status compared to the total average percentage of incidents contributed to each citizenship status for the period of 2001–2011.⁸⁴

The illegal immigrant category was differentiated from the other categories, even though it was only one percent farther from the average population percentage, because it had zero incidents contributed to it. This was unique in and of itself, but it also did not allow for the percentages to differentiate any further based on the size of the population for that category. Illegal immigrants were not dismissed as negligible in the manner that non-immigrating foreigners were, solely due to the fact that this thesis is focusing on the effects of comprehensive immigration reform specifically addressing the illegal immigrant population by providing a path to citizenship for them. Had the thesis been focusing on a different topic, illegal immigrants would also be considered a negligible factor regarding terrorism within the United States.

Legal immigrants are very close to the illegal immigrant category as far as the results go, suggesting that there is a commonality between the two that is beyond size and immigrant status. This commonality is most likely centered on a strong desire to live within the United States and an unwillingness to conduct any action that could interfere

⁸⁴ For specific sources of data that comprise Figure 12, see Appendix B

with that desire. The data shows a distinctive increase in the percentage of incidents conducted by both native and naturalized citizens in two different ways. First, both categories contribute more than their population size proportions would suggest. Second, there is a minimum of a six percent increase in incidents contributed to each of these categories. This data contributes to the idea that once the right to live in the United States has been secured, a willingness to conduct actions that could have previously affected an individual's ability to remain in the United States increases.

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IV. CONCLUSION

A. OUTCOME

The analysis of the data available in the GTD suggests that the effects of the illegal immigrant population on terrorism in general are negligible; thus, a possible conclusion would be that a pathway to citizenship will have no effect on homeland security and terrorism within the United States. Another possible conclusion is that by providing a path to citizenship through comprehensive immigration reform, illegal immigrants would become legal immigrants thereby increasing their chance of conducting a terrorist incident by one percent, and those legal immigrants could then in turn become naturalized citizens, further increasing their chance of conducting a terrorism-related incident to six percent. Following this thought process, an argument could be made that a pathway to citizenship for illegal immigrants might actually increase the chance of a terrorist act by six percent, which would translate into the addition of up to between six and eight incidents within a given 11-year period, starting upon the year of eligibility for naturalization status.

While these are two possible arguments that could be made, this thesis contends that the answer actually lies somewhere in between, as a result of a combination of the two arguments. This thesis acknowledges the fact that there is an increased possibility that an illegal immigrant who becomes a legal immigrant would be more likely to commit an act of terrorism. This is possibly due to the idea that they are less likely to fear the consequences for themselves and their families if they are caught, as they would fall under the full protection (vice being at the mercy) of the United States. However, this thesis contends that while they were possibly too afraid to act as an illegal immigrant, the majority of legalized immigrants would still want to prevent a deportation scenario for themselves and possibly their families as a result of committing a terrorist act, and therefore they would continue to avoid those types of actions. This contention could explain why there was only one such act being conducted by a legal immigrant in the data analyzed from the GTD.

As for becoming a naturalized citizen, this thesis argues that having the legal protections of the United States and the possibility for deportation removed due to obtaining citizenship status, illegal immigrants who have become naturalized citizens are indeed more likely to commit a terrorist act as the GTD analysis showed. This finding contradicts the findings of Krueger who, as stated in Chapter II, found that “citizens are less likely to become involved in domestic terrorism than are noncitizens.”⁸⁵ Clearly, there is room for interpretation of this assertion as Krueger’s article was specifically focused on Muslim terrorists compared to the average Muslim population within the United States, and this thesis has no such boundaries.

This thesis also contends that the likelihood that there will be a specific increase in the number of attacks over an arbitrary 11-year period (as the second argument claims) is minimal. As mentioned in Chapter II, this increased potential threat will be mitigated by the fact that the passing of a comprehensive immigration reform proposal, such as S.744, would also include several other initiatives, such as an improved screening process, stronger immigration enforcement policies, and increased border security measures that would contribute to a decrease in terrorist actions and capabilities. This reduction in the terrorist threat would be further strengthened by the resulting reduction in the size of the safe haven provided to terrorists caused by the resultant reduction of the illegal immigrant population. Therefore, this thesis contends that the potential increased threat brought on by a pathway to citizenship would be insignificant.

Ultimately, the possible reductions or increases in potential terrorist attacks cannot be accurately calculated due to the quantity and quality of the additional resources that would be brought to bear on terrorist threats of all types with the passing of a comprehensive immigration reform proposal. These improvements would work together to reduce the overall potential terrorist threat in their own manner, while inadvertently skewing the odds of determining the effectiveness of any single measure in particular.

⁸⁵ Krueger, “Human Capital.”

This means that no matter how good the resulting data is, there will never be an accurate way of determining the outcome of a pathway to citizenship on terrorism within the United States.

B. TERRORISM AFTER 2011

The advances in antiterrorism policy since 9/11 have had a remarkable effect as witnessed by Senator Lieberman's testimony to the Committee on Homeland Security on May 9, 2013.

Since 9/11, no terrorist plot planned and launched from abroad against our homeland has succeeded. At least 65 home-grown terrorist plots have been stopped. That is a remarkable record and a tribute to the men and women, civilian and military, public and private, who have devoted their lives to keeping us safe. But the reality is that three terrorist attacks, all home-grown, have succeeded: Carlos Bledsoe, who killed an Army recruiter in Little Rock in 2009; Nidal Hasan, who killed 13 at Fort Hood later that same year; and now the Tsarnaev brothers who killed 4 and severely wounded many more in Boston less than a month ago.⁸⁶

Senator Lieberman continued by stating, "The Boston attack was, in fact, the first successful terrorist attack, foreign or home-grown, on civilians, nonmilitary personnel, in America since 9/11."⁸⁷ While these statements are inspiring, they question the definition of what is considered to be a terrorist attack. The GTD analysis conducted in Chapter III analyzed 154 primary incidents and a total of 185 incidents between 2001 and 2011 (see Table 2).

⁸⁶ *Attacks on the Homeland Hearing before the Committee on Homeland Security, House of Representatives*, 113th Cong. (2013) (testimony of Joseph Lieberman), <http://www.gpo.gov/fdsys/pkg/CHRG-113hhrg82590/pdf/CHRG-113hhrg82590.pdf>.

⁸⁷ *Ibid.*

Target Type	Number of Primary Incidents	Number of Secondary Incidents	Number of Tertiary Incidents	Total Number of Incidents
BUSINESS	50	3	0	53
GOVERNMENT (GENERAL)	13	20	0	33
POLICE	0	0	0	0
MILITARY	9	1	0	10
ABORTION RELATED	12	0	0	12
AIRPORTS & AIRLINES	2	0	4	6
GOVERNMENT (DIPLOMATIC)	1	0	0	1
EDUCATIONAL INSTITUTION	7	1	0	8
FOOD OR WATER SUPPLY	0	0	0	0
JOURNALISTS & MEDIA	1	0	0	1
MARITIME (INCLUDES PORTS AND MARITIME FACILITIES)	0	0	0	0
NGO	0	0	0	0
OTHER	3	0	0	3
PRIVATE CITIZENS & PROPERTY	48	2	0	50
RELIGIOUS FIGURES/INSTITUTIONS	4	0	0	4
TELECOMMUNICATION	1	0	0	1
TERRORISTS/NON-STATE MILITIAS	0	0	0	0
TOURISTS	0	0	0	0
TRANSPORTATION (OTHER THAN AVIATION)	1	0	0	1
UNKNOWN	2	0	0	2
UTILITIES	0	0	0	0
VIOLENT POLITICAL PARTIES	0	0	0	0
Totals	154	27	4	185

Table 2. Total number of incidents between 2001 and 2011, broken down by target type⁸⁸

One of the possible areas for contention between Senator Lieberman's statement and the incidents recorded in the GTD could be the fact that the GTD includes incidents such as acts eco-terrorism in its database, whereas Senator Lieberman may not have considered eco-terrorism when he made his statement. Clearly, there is ambiguity as to what terrorism actually includes, and how often it is occurring, but if the data contained within the GTD is to be believed, we can continue to expect multiple acts of terrorism by foreign and homegrown terrorists well into the foreseeable future. The FBI seems to be in agreement with the GTD as a recent article in the AP by Paul Elias suggests. Elias stated the following:

The FBI said Wednesday agents are hunting in Hawaii for the nation's most wanted domestic terrorist suspect. . . . [Daniel Andreas] San Diego, 36, is suspected to be an animal rights extremist. He is charged with exploding pipe bombs in front of two San Francisco Bay Area companies with ties to a lab that conducted animal experiments. San Diego is atop the FBI's list of most-wanted domestic terrorists, and the agency is offering a \$250,000 reward for information leading to his arrest. . . . He is charged

⁸⁸ START, "GTD 1012."

with setting off three bombs at the two companies in the wee hours. No one was injured, and minor damage was done to the buildings, including shattered windows.⁸⁹

C. AREAS FOR ADDITIONAL RESEARCH

While researching the information located within the GTD, it was noted that there is not a lot of emphasis put into documenting the individuals that commit terrorist acts. Understandably, the information entered into the database is provided in an as-available fashion making it difficult to discern any overarching patterns. This resulted in a lot of the information gathered for this thesis coming from news articles and various other publicly available sources. This relative lack of data reduced the overall scope of the thesis by removing the ability to consistently gather enough data to develop further correlations about the perpetrators or the terrorist attacks in general.

As mentioned in Chapter III, one area for additional research could be focused on the effects of repeat offenders, specifically on how they would affect the results of this thesis. This thesis was based on the number of attacks that occurred during the period, correlating the incident to a citizenship status. This resulted in counting the total number of incidents vice the total number of perpetrators. An analysis that took repeat offenders into account might provide more accurate data concerning the likelihood of perpetrator status conducting an incident, but this would come at the expense of the number of incidents counted. While this may provide a preferred statistical analysis of the data, this thesis contends that the overwhelming number of incidents that were anonymously claimed precluded analyzing a sufficient number of perpetrators to develop an accurate analysis of the data in that fashion.

A second recommended area for additional research would focus on the feasibility of establishing a requirement to document the characteristics of perpetrators of terrorist acts in the GTD or a database similar in nature. Along with the feasibility of such a requirement, it would be beneficial to identify which characteristics such as ages, genders, and nationalities, would be pertinent for collection. In this case, it would have

⁸⁹ Paul Elias, "Daniel Andreas San Diego, The FBI's Most Wanted Domestic Terror Suspect, May Be in Hawaii," *Huffington Post*, March 12, 2014, http://www.huffingtonpost.com/2014/03/12/daniel-andreas-san-diego-hawaii_n_4953184.html.

been beneficial to know the immigration status and citizenship status of the perpetrators in order to further develop whether or not there were any underlying causes or patterns associated with the immigration status. From an academic standpoint it makes sense that any coded data that can be collected for the analysis of the terrorists and terrorist attacks would be beneficial towards future studies that are conducted to help the war on terror.

A third area for additional research could be focused on the area of census population data. This was another area that required excessive estimations to develop useful information for studying statistics over an extended period of time. Due to the nature of the data and the sheer volume of people involved, it is understandable that there are difficulties associated with acquiring, storing, and correlating the data. Unfortunately, these difficulties are compounded by changes to the way the information is gathered over the years as well as with changes to the manner in which the data is presented. It would be helpful to research and develop a database that would provide the capability to automatically correlate the data from the desired years into consistent usable figures that are corrected to the most recent standard. This correlation would be similar in manner to an inflation calculator that converts dollar values from one year to another, and would take into account the updated methods for calculating population estimates and similar changes in parameters.

The fourth and final recommendation for additional research comes from some of the literature that was encountered when searching for information regarding a link between citizenship and terrorism. According to Janice Kepar, there were several instances where terrorists did acquire legal immigrant status and naturalized citizenship statuses through the use of faulty documents and sham marriages.⁹⁰ These instances primarily occurred prior to 2001, and thus were prior to the starting point for this thesis. However, the individuals would not have shown up in this thesis had they acted after 2001, as some of them did, due to the fact that they were not included in the GTD because they never conducted a terrorist act. Therefore, a further area of research would be a follow-on study to this thesis that incorporates terrorist activities, such as money

⁹⁰ Kepar, *Immigration and Terrorism*.

laundering, fund raising, and surveillance, along with the acquiring of false documents for the use in terrorist activities. This would increase the available data pools by incorporating statistics available from the Federal Bureau of Investigation, State Department, and the National Counter Terrorism Center to name a few of the resources available. This type of follow-on study would encounter an immense amount of information based on the expansive number of actions that could be considered part of a terrorist related activity; however, it could potentially provide a great amount of academic knowledge for use in antiterrorism policy development.

D. FINAL THOUGHTS

Terrorism conducted by United States citizens, both native and naturalized, is the predominant form of terrorism in the United States. Thus, the incorporation of a path to citizenship within comprehensive immigration reform proposals will increase the potential likelihood of a terrorist incident. However, this increased potential will not directly result in a significant increase in domestic terrorism due to the combination of a reduction in terrorist safe-haven size, and antiterrorism initiatives included within comprehensive immigration reform.

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APPENDIX A. DEFINITIONS

The following terms and definitions were used during the research and analysis conducted for this thesis:

A. UNITED STATES RESIDENT IDENTIFICATION STATUS

The following definitions distinguish among the various identification statuses assigned to the population of the United States as they apply to this thesis:

1. Citizen

Any person who is born in the United States or to a citizen of the United States that meets the eligibility requirements for citizenship (i.e., children of deployed military members).

2. Naturalized Citizen

Any person who has completed the naturalization process to become a citizen of the United States.

3. Legal Resident

Any person who is living within the United States via a legal method and has not completed the naturalization process (i.e., individuals permanently living within the United States with a green card).

4. Illegal Immigrant

Any person who, regardless of entry, method is living within the United States in an illegal status (i.e., individuals living within the United States with an expired work visa).

5. Non-Immigrating Foreigner

Any person who is not an American citizen and is legally visiting the United States in a temporary manner with no intention of permanently living within the United States (i.e., temporary workers, exchange students, tourists, and business related visitors).

B. GENERAL CLARIFICATION

1. Comprehensive Immigration Reform

Legislation designed to address various immigration issues including but not limited to border security, labor relations, tourism, and naturalization.

2. Border Security, Economic Opportunity, and Immigration Modernization Act

An act known as S.744 that passed in the Senate on June 27, 2013, encompassing the Senate's most recent attempt at comprehensive immigration reform addressing the issue.

3. Immigration Reform and Control Act of 1986

The last comprehensive immigration reform act to be put into law, which included a pathway to legalization for the estimated 3.5 million illegal immigrants living in the United States at the time.

APPENDIX B. DATA SOURCES FOR FIGURES

This appendix contains data sources for the following figures: 5, 7, 8, 9, 10, 12 and 13. The author created the figures based on data pulled from the sources listed.

Figure 5 Data Sources

Wikipedia, s.v. “2009 Little Rock Recruiting Office Shooting,” accessed March 4, 2014, http://en.wikipedia.org/w/index.php?title=2009_Little_Rock_recruiting_office_shooting&oldid=592903861;

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Feldman, “Los Angeles Airport Shooting;”

Wikipedia, s.v. “Umar Farouk Abdulmutallab,” accessed March 3, 2014, http://en.wikipedia.org/w/index.php?title=Umar_Farouk_Abdulmutallab&oldid=597909891;

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Figure 7 Data Sources

Wikipedia, “Little Rock;”

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Figure 13 Data Sources

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